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DEPARTMENT OF STATE
ASSISTANT SECRETARY

EJR

8838

E16

TO: The Secretary

THROUGH: S/S

FROM: EUR - Foy D. Kohler

SUBJECT: German Suggestions for Changes in the "Principles Paper"

There is attached a paper prepared in GER presenting in tabular form the language in our revised "Principles Paper" of April 21, 1962, in the changes which I discussed with Carstens at Athens and in the German Aide-Memoire of May 22, 1962. The relevant German arguments for the new language which they favor are as follows:

[Preamble second paragraph - "It appears necessary to make this addition because the Four Powers in certain questions such as that of making non-aggression declarations between the two pact systems possess no exclusive competence".

1(c) "With this proposed expansion a tendency toward improvement of the access procedures currently in effect would be established".

1(c) "By this new formulation the impression would be avoided that the limitations and prohibitions under i to iv determine the important content of the existing procedures".

2(a) "The formula used up to now could be so understood as if doubt existed about the wish of the German people as a whole for reunification".

2(b) "The proposed change in the text brings about dropping the third commission which has the responsibility for discussing the draft of an electoral law or other steps in the direction of the reunification of Germany. Such a mandate would have a purely political and non-technical character. The Federal Government, by the acceptance of such a mandate, would set itself along the line of one demand of the Soviets' German policy: 'Germans at one table'. The change in the text leads further to a re-establishment of the earlier foreseen mandate of the second commission to remove limitations on freedom of movement in Germany with particular emphasis on cultural and technical contacts".

3(c) "In the view of the Federal Government the part of this paragraph the omission of which is proposed should not be part of a Berlin agreement. In this connection, a responsibility of the nuclear Powers to press non-nuclear Powers toward nuclear abstinence could be interpreted as meeting

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halfway the Soviet demand for the establishment of a nuclear free zone in Germany. Moreover the Federal Government does not intend to make a broader declaration than that made in its declaration of 1954 in connection with the Brussels treaty about refraining from the manufacture of ABC weapons as the Federal Ministry of Foreign Affairs has emphasized several times.

"The Federal Government proceeds further from the point of view that the envisaged declaration concerning the nondiffusion of nuclear weapons should in no way change the currently employed system for the maintenance of the nuclear defensive capability of NATO or the possibility of establishing a multilateral nuclear force within NATO, and this will also be made fully clear to the Soviets".

4(c) "The proposed text signifies no essential change, but it protects the Western legal standpoint by which Germany as well as Greater Berlin continue to exist as unities".

"In our view this paper should only be given to the Soviets when there exists the prospect of agreement soon. The decision whether this is the case remains ceded to the Government of the United States".

You will recall that, at Athens, the Germans stressed the Chancellor's desire that we take advantage of our discussions with the Soviets to attempt to secure some alleviation of conditions in the GDR. There was the suggestion that we might even hint that an improvement of conditions in the GDR, including a change in the political leadership, could lead to a less negative Western position.

In view of the German desire to do something about conditions in the GDR, repeated again by Carstens to Dowling, it seems desirable to consider including some appropriate remarks to Dobrynin in your next meeting. We, accordingly, have some talking points on the subject along with the others.

In this connection, you will be interested to know that, as early as the Working Group meetings in Paris, which preceded the Four-Power Ministerial Meeting in August, we attempted to inject the idea of talking about the GDR to the Soviets in the sense indicated into the draft instructions of the Working Group for the early Ambassadorial approach in Moscow which was being considered as a logical next step in establishing contact with the Soviets. An American paper on the subject was prepared and tabled. However, the other Working Group delegations, including the Germans, were unenthusiastic, and the theme was squeezed down to a point in an appendix to the Tactical Section of the Working Group Report that, if an Ambassadorial approach were made in Moscow, at an appropriate point observations might be made on the situation in the GDR.

Attachments:

Comparison of Language Changes in "Principles Paper"...

MJA
EUR:GER:MJHillenbrand:FECash:gw.

5/23/62.

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DRAFT PRINCIPLES, PROCEDURES, AND INTERIM STEPS

April 24

May 5-6

May 22

Preamble 2nd para—In this connection, a Committee of Foreign Ministers' Deputies will be established which France and the UK will be invited to join.

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1(c) Interim Steps: In the meantime, they declare that access procedures in effect on January 1, 1962 will remain in effect.

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1(c) Included among procedures in effect on January 1, 1962 is the fact that transit will proceed along the same communication routes presently used, and will be subject to compliance with the existing procedures whereby:

(i) transit vehicles and their passengers are not allowed to deviate from the established transit routes;

(ii) passengers in transit are not allowed to go beyond the limits of the communications routes used for transit;

(iii) passengers in transit are prohibited from giving or receiving any articles; and

(iv) no one may board vehicles in transit to Berlin.

1(c) Included among procedures in effect on January 1, 1962 are the facts that:

(i) transit will proceed along the same communication routes presently used;

(ii) transit vehicles and their passengers are not allowed to deviate from the established transit routes;

(iii) passengers in transit are not allowed to go beyond the limits of the communications routes used for transit;

(iv) passengers in transit are prohibited from giving or receiving any articles; and

(v) no one may board vehicles in transit to Berlin.

2(a) General Principles: They believe that the Germans have the right to determine their own future, and to re-establish the unity of Germany, if they

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May 5-6

ality of Germany, and they wish to facilitate the exercise of this right in a way that will enhance the security of all European peoples.

2(b) Future Negotiations:

They agree that the committee of Foreign Ministers' Deputies should consider all adequate steps to make progress toward realizing this right. It might also consider the possibility of establishing mixed technical commissions, consisting of officials designated by the authorities in West and East Germany, for such matters as: to promote mutually beneficial economic exchanges and to remove existing restrictions concerning the free movement of persons in Germany, including those imposed on cultural and technical contacts.

They agree that the authorities in West and East Germany should be invited to establish two mixed technical commissions, consisting of officials designated by these authorities, to promote mutually beneficial economic exchanges and to remove existing restrictions concerning the free movement of persons in Germany, including those imposed on cultural and technical contacts.

2(c) Interim Steps: In the meantime, as states now possessing nuclear weapons, they declare they will not themselves relinquish control over any nuclear weapons to any individual state or regime not now owning such weapons, and they will not transmit to such state or regime information, equipment, or material necessary for their manufacture.

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April 24

4(c) Interim Steps: In the meantime they declare they will not themselves use or support the use of force to change the external and internal borders of Germany including the existing borders of West Berlin, and they note with approval declarations by German authorities in the same sense.

5(a) The parties note with approval declarations by the competent German authorities, assuring their allies that they will act in conformity with the above provisions regarding access and other matters relevant to their functions and prerogatives.

4(c) Interim Steps: In the meantime they declare they will not themselves use or support the use of force to change the external and internal borders or demarcation lines of Germany, including those of West Berlin, and they note with approval declarations by German authorities in the same sense.

5(a) The parties note with approval declarations by the competent German authorities, assuring their allies that they will act in conformity with the above provisions regarding access and other matters relevant to their functions. [US agreed to substitute "and responsibilities" for "and prerogatives."]7

4(c) Interim Steps: In the meantime they declare they will not themselves use or support the use of force to change the borders and demarcation lines of Germany including those of West Berlin, and they note with approval declarations by German authorities in the same sense.

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